GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department - Allegations of irregularities in execution of works under NREGS Scheme taken up in plain areas of Visakhapatnam District – Disciplinary proceedings against Sri T.V.Shivaji, DEE, PRI Sub Division, Payakaraopet under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Orders - Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 680 **Dated: 11-07-2016**
Read the following:

1. DG, GA (V&E) Department, Vigilance Report No.32 (C.No.685/V&E/E2/2013), Dt.27.11.2014.

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ORDER:-

It is proposed to hold an inquiry against Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services(CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(Contd……)

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet, **through** Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Hyderabad.
The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Hyderabad (with a request to serve the charges to the individual and furnish a served copy to Government)
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

Annexure – I

Statement showing the article of charges framed against Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet

Charge-1

That Sri T.V.Shivaji, Deputy Executive Engineer has involved in allegations of irregularities in execution of following two works by check measured inferior quality of items without conducting any quality checks and forwarded fabricated musters and purchase bills for payments and also allowed contractors in execution of NREGS works causing loss to Government funds to a tune of Rs.6,47,436/-.

1. Road from NH-5 to Appalapayakaraopeta
2. Providing internal roads and drain in INDIRAMMA SC/ST Colony, Darlapudi

By his above mentioned act, Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-II

Statement of imputations of misconduct in support of Article of Charges framed against Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet.

The Vigilance & Enforcement Department vide their report No.32(C.No.685/V&E/E2/2013), dt.27-11-2014 has verified the works taken up under MGNREGS in plain areas of Visakhapatnam District from 26-11-2013 to 04-12-2013 and made the following observations for the following works:

Work No.1: Road from NH-5 to Appalapayakaraopeta

The work was technically sanctioned vide DR No.67/DB, dt.13-01-2012 for Rs.18.00 lakhs of EE, PRI, Narsipatnam under MGNREGS grant.

Findings of the V&E

i. The test results of GSB material indicates that proper gradation was not followed and the plasticity index is found to be 28% which is much higher than the required value of 6% indicating that granular sub base is executed without mixing of sand with gravel.

ii. Liquid Limit of 45% is beyond the tolerable limit of 25% as per Table 400-2 of MORTH. The sand collection was recorded without actually executing in the field.

iii. The GSB layer failed to satisfy the required plasticity index value and hence liable for rejection. An amount of Rs.3,60,218/- is to be recovered towards the value of the rejected quantity of the work.

Work No.2: Providing internal roads and drain in INDIRAMMA SC/ST Colony, Darlapudi

The work was technically sanctioned vide DR No.67/DB, dt.31-01-2012 for Rs.25.00 lakhs of EE, PRI, Narsipatnam under MGNREGS grant.

Findings of the V&E

i. As per NREGS guidelines, the Executive Engineer should inspect the site before issuing Technical sanction. If any, discrepancy observed in sanctioned list of works, the Executive Engineer should inform to the administrative authority for rectification. But the work was executed where only four families were living which leads to a wasteful expenditure to Govt. Exchequer.

ii. The strength of M 30 grade for CC pavement Road No. I & III is not satisfying the required strength criteria and hence liable for rejection. An amount of Rs.2,84,914/- is to be recovered towards the value of the rejected quantity of the work.

iii. An amount of Rs.2,304/- is proposed as recovery towards shortage in length of CC pavement road No. XIII.

iv. The Executive Engineer, PRI, Narsipatnam failed to check measure the work as per codal provisions and issued pass-order for release of payment without satisfying himself on the quality of work.

v. The cracks should be rectified immediately and should be treated otherwise the road surface gets spoiled.

(Contd.....)

Recovery proposed

Name & Designation	Name of the work	Item proposed for recovery	Recovery Amount (Rs.)
T.V.Shivaji	Road from NH-5 to Appalapayakaraopeta	Rejection of GSB for high plasticity index value	3,60,218
		Sub-Total	**3,60,218**
	Providing internal roads and drain in INDIRAMMA SC/ST Colony, Darlapudi	Rejection of M30 grade concrete for CC pavement	2,84,914
		Recovery towards short length of CC pavement	2,304
		Sub-Total	**2,87,218**
		Grand Total	**6,47,436**

The individual has deviated the office procedure for his personal gain and allowed the following in violation of APCS rules.

i. Check measured inferior quality of items without conducting any quality checks causing revenue loss of Rs.6,47,436/- to the Government exchequer.

ii. Forwarded fabricated musters & purchase bills for payment without scrutiny

iii. Allowing contractors in execution of NREGS works

By his above mentioned act, Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – III

List of documents by which the articles of charges framed against Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet are proposed to be sustained.

1. Vigilance Report No.32 (C.No.685/V&E/E2/2013), dt.27-11-2014 of Vigilance & Enforcement Department.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – IV

List of witnesses by whom the articles of charges framed against Sri T.V.Shivaji, Deputy Executive Engineer, PRI Sub Division, Payakaraopet are proposed to be sustained.

-NIL-

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER